5-27-05

Application Number	Application No. 09/893,316	Applicant(s)  REARDON ET AL.  1734		
TERMINAL DISCLAIMER	APPROVED	☐ DISAPPROVED		
Document Code - DISQ	This patent is subject			
INTERNAL DOCUMENT – DO NOT MAIL	Disclaimer Disclaimer	·		

U.S. Patent and Trademark Office

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

DATE:		<u>09-Jun-05</u>			APPL. S.N.:	<u>09/893,316</u>					
TO: EXA	AMINER	KOCH,	GEORGE R		ART UNIT:	<u>1734</u>					
FROM:	PAR	<u>Jefferson, I</u> ALEGAL SP	<del></del>		RETU	RN THIS MEMO TO:	Case Drop-Off Locatio				
SUBJE	CT: De	cision on Ter	minal Disclaimer (T.D.) filed	27-May-05							
para que: MAI	agraphs ide stions, plea LED TO Al	ntified by this use see me o PPLICANT O	viewed the submitted T.D. wis informal memo in your nex or the Special Program Exam DR (2) PLACED OF RECORD THANK YOU.	t Office action to notify ap iner. THIS IS AN INFOR	oplicant of the T.D. RMAL, INTERNAL N	If you disagree or have MEMO ONLY. IT MUST	any NOT BE (1)				
<b>✓</b> T	The T.D. is PROPER and has been recorded (see ¶14.23).										
The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):											
	The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07).										
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶ ¶ 14.26 & 14.26.01).										
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see ¶ 14.27.01).									
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see ¶¶ 14.26 & 14.26.02).									
	The per	The person who signed the T.D.:									
	is n	ot an attorney	"of record" (see $\P$ $\P$ 14.29 and	14.29.01).							
	has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).										
	is n	ot recognized	as an officer of the assignee (se	ee¶¶14.29 & possible 14.2	9.02).						
	specifie	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).									
	The T.I	The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03).									
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see § 14.32).									
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05).									
	The per	iod disclaime	d is incorrect or not specified (s	ee ¶¶14.26, 14.27.02 or 14	4.26.03).						
	Other:										
	] Suggest	tion to request	t refund (see ¶ 14.36). NOTE:	If already authorized, credit	refund to deposit acc	count and do not check thi	s item.				
I have ap	propriately	notified appli	cant(s) of the status of the Term	ninal Disclaimer filed in this	s case.						
Ex. Initia	ıls:	[	Date:			Log Da	ate:				
Special I	Program Da	atabase, Ver	sion 2.1 (Rev	v. 5/98) R	outing Slip Printed (	On: Thursday, Jun	e 09, 2005 12:02:07 PM				